MRS. MERRILL'S MONEY.

Yesterday's Proceedings Before the Surrogate.

OPENING OF CONTESTANT'S CASE.

The Marriage of George Merrill Alienating His Fortune.

The hearing was renewed, yesterday, in the matter of the contest over the probate of the will of Mrs. Caroline A. Merrill, before Surrogate Calvin. There was a long array of counsel, and the court room was well filled with the coutestants and their friends. The proponents temporarily closed their case, subject to a renewal of an offer to send a commission to take the testimony of Dr. Smith, who is in Rome, and the contestants opened their case and completed the ex-

Metcalfe, wno was examined by Mr. David McClure, who appeared on behalf of the executors. Mr. Metcalfe said:—I reside at Boston; I have resided there since it was a child, with the exception of the time I resided at Rome; I resided at Rome between the 13th day of December, 1863, and July, 1872—nearly nine years; I was there as a student in the beginning, and after-I knew Dr. Bernard Smith; he was Professor of Theolknow his handwriting; I have seen him write; I can identify it; the writing shown me is the signature of

Cross-examination by Mr. Parsons-I saw Dr. Smith the last time, to the best of my recollection, some day in July, previous to my loaving Rome, in 1872; I have not corresponded with him since; I have country; I knew Mrs. Merrill; I became acquainted ith her in 1871; she called upon me at the American

The only way that I can explain the call is this, that when any ladies who are Catholics visit Rome they call upon the president or the vice president of the college; I ascertained that she was not acquainted with Dr. Chatard before she called upon me; t think I ascertained that about two or three weeks aftime; I saw Mrs. Merrill about two or three times week; I did what I could for her; I did not become acquainted with a courier of the name of Louis Maill; saw a courier there; he was within call; Mrs. Mer

I saw a courier there; he was within call; Mra Merrill complained of rhoumatism, and was under medical treatment; she was not very infirm; she was sole to get about when she came to the college without assistance; I don't remember being present when Dr. Smith called upon her; she had a conversation with me when I called upon her and when we were alone about the disposition of her property.

CLOSE OF THE PROPONENT'S CASS.

Judge Porter here said that there were no more witnesses on the proponent's side. Dr. Smith resided abroad, and it was understood between Mr. Parsons, who uppeared for the contestant, Mr. George Merrill, and himself that the commission should be sent, and that both sides should from this point present their witnesses to the Court without reference to order of evidence, but such witnesses as each might deem nocessary.

oceasary.

Mr. Parsons said that he required the testimony of the persons who received the will and the codicil, and ter a short argument ne filed the following order:— Please to take notice that in the above proceeding we require that the examination shall be taxen of the person who received the payers propounded as the last will and coulcil thereto of Caroline A. Morrill from her, and also of the person presenting the same for probate and the circumstances of the execution, the delivery and githe possession of the said pagers. MAN & PARSONS, Attorneys for George Merrill. MER. LER & MCCLURE, Attorneys for P. G. Roistor

MAN & FARSONS, Attorneys for George Merrill. To Turner, Leke & McCuder, Attorneys for P. G. Roisson.

The Order of Proceeding.

A long argument here ensured as to whether the persons rejerred to in the above order filed by Mr. Parsons should give their testimony at this point of the case or when both parties had but in all their evidence. Mr. Parsons said that it would be easy to examine Mr. Moses Taylor and Mr. Raiston, both of whom could be in the court from in a few minutes. It appeared from the testimony of Mr. Field that there was a lawyer present at the time the will was made, and if Mr. Moses Taylor were before the Court as a witness it might turn out that the lawyer was the person who received this will from Mrs. Merrill. The lawyer, he understood, represented the interests of the beneficiary of the will. He thought that such evidence ought to be given at the present time, because there was no suggestion whatever that it was not available. It seemed especially desirable because there was no suggestion whatever that it was not available. It seemed especially desirable because there was no suggestion whatever that it was not available. It seemed especially desirable because there was no suggestion whatever that it was not available. It seemed especially desirable because there was no suggestion whatever that it was not available. It seemed especially desirable because that the matter should proceed without delay.

Judge Parter said that his instructions were to conduct this case with the greatest liberality and fairbess that was possible to the contestants in this case, and for he other purpose than the obtaining and the advancement of the truth. This was a case in which as old lady, on the very verge of the grave, appropriates a pertion of her estate to public benefactions rather than to her relatives. There was nothing to warrant the innuence that this will was received from officials of the Catholic Church. Each of these in-

warrant the innuendo that this will was received from officials of the Catholic Church. Each of these tartuments had been proved by genulemen of high standing under the sanction of their oaths. Now it was said that the proponents must produce other witnesses in order that any ground or suspicion might be avoided. That was reasy to be done at the proper stage of the case. Under the instructions ne had received be was bound to furnish all the evidence

whee said that the proposeds must produce other witnesses in order that any ground or suspicion might be avoided. That was reasy to be done at the proper stage of the case. Under the instructions ne had received he was bound to turstsh all the evidence that law and equity required.

DECISION AS TO TEXTIMONY.

The Surrogate said this was a matter which was entirely in the discretion of the Court and he did not himk it was necessary at that time to require the proposents to put in the testimony asked jor by Mr. Parsons, At a future time is might be uccessary for him to require it, but at present there were two courses open—either to rest the cabe there until the proposents could complete their evidence and take an adjournment, or the contestants could open their case surject to the arrangement made with counsel and referred to by Judge Forter.

Mr. Parsons said that he would open the case for Mr. George Merrill and put in scattmany de bene case. After recess Mr. Parsons, in opening the case, said that it would present some interesting points of him and some interesting statements of lasts, the latter would be in support of the systements projounced were procured from her under undue miluence, the result of which would be disturbance of the contestants that Mrs. Merrill was not in a condition of mind to make a will and that the instruments projounced were procured from her under undue miluence, the result of which would be the disturbance of the arrangements made by the will of 1805. It would be necessary to show what kind of a person George Merrill was, what was thought of him by the mother who adopted him, when she was said and known to be in the possession of her senses. There was a great deal of testimony of this character, but letters which have the failing recollection of persons who had beard statements of this character, but letters which have the failing recollection of persons who had beard statements of this character, but letters which have the failing recollection of persons when have been along the f

nors."

The Surrogate—That must have been a long time ago.
Mr. Parsons—I beg pardon. "Learn politics by visiting Washington."

Mr. Parsons—I beg pardon. "Learn politics by visiting Washington."

On the 21st of September, 1857, she writes from Saratoga to George, and says:—"Don't meet me at the depot, but call at the Astor House. I wish to see you by mysolf, and kiss you fifty times, at least."

In another letter, written as late as February 15, 1860, to George, she says:—"You have not a warm heart as some have, but you have a very pure one, which I cannot be too thankfal for; you have also a very tender conscience, for which, also, I am very thankful."

Would it over be believed, said Mr. Parsons, that this feeling was so changed in this woman that she permitted herself to take an oil paneting, cut out the grouth, the eyes and the fingers and put at up again on the walts?

THE APPROTION ADMITTED.

The Surrogate said that he understood that this nestion of affection had not been controverted by the

other side as not existing up to a certain period. It was alleged that it had been changed in consequence of

other side as not existing up to a certain period. It was alleged that it had been changed in consequence of a marriage which she did not approve.

Judge Porter and that no person would doubt, in any case, that when persons took a child for adoption they were prompted thereto by affection. There was no doubt about Mra. Merrill's affection for her adopted son up to a certain sima.

Mr. Parsons then read a number of extracts from letters dated in 1852, 1854 and 1868 to show that it was the wish of Mr. and Mrs. Advertill that George should inherit their property, and in one, written on May 27, 1855, she says, "You will have your-latier's fortune."

MRS. MERRILL'S MIND APPECTED.

On the 3d of January, 1856, a letter was written by Mrs. Merrill. "Notther day nor night have I control over my feelings." This was only three years, said Mr. Parsons, before the time when we claim her mind became unseend. In this letter she goes on and says, "I or y until I cannot see. Mrs. —, of Philadeiphia, a friend of Miss Anderson, was taken to the insane asylum, she was no distressed at the death of her mother," In a letter in the year 1850 she says, "I have made as much effort as I can to keep my senses. I have walked my room at hight with one prayer on my lips and heart that my reason might be spared."

DR. MARRIS.

DR. Robert William Harris was the first witness

DR. HARRIS.

Dr. Robert William Harris was the first witness called for the contestants and, in reply to a question of Mr. Parsons, said that he resided at Astoria, Long Island, and was rector of St. George's Church at that piace. He gave an account of Mr. George Merrill to witness in November, 1861. She came to consuit him in reference to the marriage of George Merrill to the lady who is now Mrs. Merrill. She was much opposed to it and he thought her manner showed her to be at that time of unsound mind.

The inquiry was then acjourned until eleven o'clock this morning.

LORD-HICKS.

THE MOTION TO QUASH THE LUNACY PROCEED-

INGS COMES UP TO-MORROW. Judge Dononue will hear the argument to-morrow on the motion to quash the proceedings in the writ de lunatico inquirendo, as granted by Judge Van Brunt in the case of Mr. Thomas Lord. Until this point has been settled no new legal developments need be expected. In the meantime the parties to the suit are actively preparing for the approaching trial. Mr. Lord has been in unily communication with his counsel at his residence in West Fourteenth street, and the case so har prepared for the defence is said to be a formidable one. Mr. Lord has still further fortified his side of the case by the production of another batten of doughstic documents which are said to be in themselves very sound reasons why he should not be overauxious in consulting its family as to his matrimonial inclinations. On the other hand, of course, it is claimed that Mr. Lord has not mentally been a free agent in the steps which sed him to his change of life. Until his intimesy with the present Mrs. Lord it is alleged that his domestic relations were always happy, and that his children had endeavored to acreen his eccentricities from public notice.

As usual since their return to the Fourteenth street mansion, the couple drove out yesterday and enjoyed a drive through the Park. Several irrends called during the day, among them a low legal geneticemen, some of whom remained during the evening, it is expected that Mr. Lord will appear in person in court to-morrow during the argument of his counsel to quash the writ in the luracy proceedings.

SENATOR MORRISSEY'S HEALTH,

Mr. George A. Harman arrived yesterday morning from Jacksonville, Fla., where he has been passing ome weeks nursing his friend, Senator John Morrissey. Mr. Harman, in conversation with a reporter of the HERALD, gave a very favorable report of the condition of Senator Morrissey's health, saying that the disease was eradicated and the Sonator was gaining health and strength every day. Senator Morrissey has been suffering from an affection of the kidneys, and for twenty days he rever laid down in a bed, but was obliged to keep walking about, occasionally resting in a chair. He could not seep, and his breathing was so hard and heavy that it was heard across was so hard and heavy that it was heard across the street. The disease finally began to break up, and he was able to rest on a bed, and from that time he commenced to improve. The Sonator was able to sit on the porch last Monday and Tuesday, and on Wednesday he took a short walk round the square with his friend Mr. Harman, Speaking of his personal appearance Mr. Harman said:—'The Senator has lost about sixty pounds in weight, which he could well afford, and now his complexion is clear and raddy and his eyes bright and sparking. He also breathes more freely now than he did before his lilness, as he appears to have lost the broachal affection which has troubled him for years." The Senator has ceased taking medicine, and if he is not troubled with a relapse will be attending to his duties in Albany within a comparatively short time. Mr. Harman said that during his visit he sat up with the Senator every hight and personally administered his medicines, and he never kept company with such an agreeable sick man, as he never grumbled or complained, but accepted his misiortanes with a philosophy that was quite remarkable.

HORTICULTURAL SOCIETY.

The regular monthly meeting of the New York Horticultural Society was held yesterday afternoon at Republican Hall, on Thirty-third street, the President, James M. Patterson, in the chair. After the regular routine business was transacted Dr. F. M. Hexamer, of Newcastle, delivered a short address on the subject of small truits. He gave a list of the leading varieties of such for the family garden. Dr. Hexamer said that large fruits might be cultivated to advantage in small fruit gardens if they were transplanted before they got large enough to interfere with

The Committee on Plants and Flowers reported the roceipt of a double flowering ponicquita measuring fitteen inches across and very finely grown; also a dish

teen inches across and very finely grown; also a dish of mushrooms from Mr. Bennett and Mr. Henshaw, and from Mr. James M. Patterson, of Nowark, N. J., a good specimen of Agraceum Jesquepedat; also a camella from Mr. Robert Parsons, of Flushing, who said that it was the so-called male variety, which variety is supposed rarely to flower.

ANNCAL MEMBERS.

The following names for annual members were proposed and accepted:—Mr. Charles A. Dana, of New York; Mr. Lee Johnson, Isip; Mr. J. L. De Camp, Spottiswood; Mr. Napoleon Longni, Brooklyn; Colonel Baumann, Hackensekk; D. E. Davisson, New York, and Richard Purdue, Orange, Mr. Henry Ward Beecher and Mr. Mechan, of Philadelphia, were elected monorary members. There are 350 members altogether. The spring exhibition of the society will take place on the 19th, 20th and 21st of June, the lail exhibition in September. At the next meeting of the society, which will take place on the first Tuesday in March, a premjum of \$10 will be given to the exhibitor of the linest cut dowers. No florist will be allowed to exhibit more than twenty glasses.

A NEW BOOK FIRM.

The two large publishing houses of James R. Os good & Co. and Hurd & Houghton have been united, and will be known benceforth as Houghton, Osgood

The union of these houses brings to the catalogue of the new firm a most remarkable array of authors distinguished in American and English literature. Among them may be named Hawthorne, Longfellow, Lowell, Holmes, Browning, Mrs. Stowe, Carlyle, Ma-caulay, Bacon, Cooper, De Quincey, Howells, Aldrich. caulay, Bacon, Cooper, De Quincey, Howells, Aidrich, Eayard Taylor, Warner, Thomas Hugues and many others. The long line of British poets from Spencer to Wordsworth also forms an important element in the list. Standard law and medical books have become and will continue a feature of their publications. The periodicals published by the firm are of thigh character—the Allantic Montkly, the Law Reporter, the Medical and Surgical Journal, the Official Postal Guide, and the American Architect. The firm controls the Riverside press and the Heliotype process. By this combination Messrs. Houghton, Orgood & Co. may be relied on for high class book productions.

INCOME TAX.

TO THE EDITOR OF THE HERALD:-

I find in McEtrath's "Dictionary of Commerce edition of 1872, the following definition and commen tary on this tax:-"A tax laid upon the earnings, profits, or income of whatever sort, of a person or corporation; or upon the sum of all such beyond some prescribed amount which the law exempts. A law was passed during the war of the rebellion im-posing such a tax upon the citizens of the United States, which being regarded as a necessity of the States, which being regarded as a necessity of the war, met with general approval. But the inequality of the operation of the law upon the income of different industries; the demorshizing tendency in the temptations which it presents for misrepresentation and perjury; its combitual constitutionality; its necessarily inquisitorial character; and, finally, the absence of any necessity for the consinuance of such a law, are among the arguments which may be urged for its repeal and discontinuance."

The law was repealed. The reason for its repeal may be urged with greater force to prevent its recussion.

VERY WEAK MILK.

Judge Waish has under consideration an interest esting case brought by the Brooklyn Board of Health against John V. D. W. Turner, of No. 122 Prospect street. The defendant is a milk dealer and supplies the Orphan Asylum with that fluid. The sanuar the Orphan Asylum with that field. The sanitary authorities alloge that the milk has been watered. On the examination Dr. McC. rkie, inspector, testified that be had examined a sample of the milk of the saylum and found that the milk stood at a little below 100; the cream, withous said, was decreased by diluting with water. The detendant denied having watered the milk or adulterated it in any manner. He got the milk from a man named Robbins, and had found some of it below the standard, Judge Walsh will render his decision in the case on Friday next. "ALWAYS WITH YOU."

THE INSUFFICIENCY OF THE RELIEF-GENERAL DISTRESS AMONG THE POORER CLASSES-MORE GENEROUS HELP REQUIRED-CASES FOR THE CHARITABLE.

At the Society for Improving the Condition of the Poor it was stated yesterday that, even great and widespread as was the destitution in the city last season, this current mouth has revealed a still larger share alone, from which to form an opinion, a few figures above. This society is one of the eldest relief associ tions-if not the oldest-in the city, and has now in its corps of workers 371 volunteer visitors to the homes of the poor. It has been computed that each of these average of ten families. These visitations grove at once that there are daily dependent on this society about three thousand lamilies, all of whom are suffer-ing zeriously. In addition to this there are about eighty applications made daily at the offices of the so-ciety in the Bible House. Of course the contributions so far made have been stretched to the best advantage, but, remembering that this year there is a gen eral tailing off in nearly all the donations made to the distressed, it will be seen at once how inadequate must be the society's funds to meet the heavy de-mands made upon the treasury.

OUT OF FUNDS.

All the reports from other societies are the same in spirit as that described. As an example of the good being done with limited means may be mentioned the West Side Renef Association, whose office is located at No. 107 West Thirty-sixth street. Upward of lour hundred families have been visited who were found to be entirely destitute.

The St. Barnabas House also appeals for the increasing number who seek for aid at that institution. As the season advances it is found that lamilies that never beiodo needed charity are discovered suffering from the want of fuel and lood. Days of intens misery are spent by these people before they fluxily yield to the children's poverty and seek for aid. in

yield to the children's poverty and seek for aid. In nearly every instance no help is ever asked for until all hopes of earning the scantlest pittances has been abandoned.

In the Seventeenth ward there is a widespread destitution this season which needs co-operation from many sources. Rev. Dr. Rylance, pastor of St. Mark's Church, and the Samaritan Guili, have worked well to give assistance. A lady who is a prominent worker in the Guild, stated yesterday that, after extended visits among the poor of the district this season, she should say that there hever was, within her experience of many years, such deep distress among the poor as she has found this winter. It would be, she said, impossible to overrate it.

DOWN TO THE BOTTOM DOLLAR.

There seemed to be no prospect whatever that they could be ided over the winter, except the public generally responded to the appears made for contributions. Only a lew days ago there was a poor mechanic who got a chance of a lew days' work at his trade, but he was unable to leave the house, as he had already pawned his last coat. Incidents as distressing as that were daily met with by all who were going round among the poor, trying to give them help or to direct them where they might roceive some lood or fuel,

to direct them where they might receive some lood or fuel.

DESERVING CASES.

The following are cases of distress vouched for at St. John's Guill, and are among the most recent applications made there:—

In Sullivan street lives a Scotch woman having three small children. Her husband is at sea and has not been heard from for months. The family is destitute of fuel and food, They would have been turned into the street had not a young medical student found out their circumstances and pawned his watch in order to pay the rent due.

In Prince street a family is in a starving condition. The husband is a sober, industrious young man, but he cannot find work. He has walked the soles off the stoces on his feet looking for work, but all in vain. The wife is unable to work, having one child and expecting to be blessed (?) with another soon.

In East Twenty-second street a family is in need of assistance. The man has been six months in the hospital and is not able to work; two of his four children used to care something, but have been idle since Christmas. The wife carns very little by washing—last week only \$1.20.

In East Fifty-arch street a family is in a state of destitution. The man has been out of employment the last two months. There are three small culturen, two of them being sick. The family is in need of fuel and food.

In West Forty-first street a family consisting of a wishowed mother, who is marthy blad consisting of a wishowed mother, who is marthy blad consisting of a wishowed mother, whe is marthy blad consisting of a wishowed mother, who is nearly blad consisting of a wishowed mother, who is nearly blad consisting of a wishowed mother, who is nearly blad consisting of a wishowed mother, who is nearly blad consisting of a wishowed mother.

in West Forty-first street a lamily consisting of a wistowed mother, who is nearly blind, and two daugh-ters, have no means of subsistence and are unable to procure work. They have pawned almost everything; more than twonty pawn telects were shown at the Guild yesterday, some of them having expired last month, but the pawnbroker has agreed to keep the articles a lew days longer, if the amount due will then to uaid.

articles a lew days longer, if the amount due will then be paid.

In East Seventy-eighth street a family is in great powerty. The man has had no work for two months and is suck now; has a wife and two small children. They are without food, fuel and money.

In West Twenty-sixth atreet a blind man, strictly temperate and honest, is in great need of assistance. His wife is unable to ind employment; they have one little child.

In Mourou street is a man in great destifution. He is old and too luftrm to work, has six children, some of whom are able sometimes to care a little.

In Roseweit street lives a widow, who has her mother and three children to support. She used to keep a fruit stand on the atreet, but earned nothing all last week. Money, fuel and food are needed.

In Mangin street there is a family in great distress. The man has oven out of employment for the last In Mangin street there is a family in great distress. The man has been out of employment for the last four months; he is industrious and sober, but cannot get work; he has five small children, the youngest one being only two months old. There is nether fuel nor tood in the house.

In Twenty-mith street an officer of the Prench army is in great poverty. His wife has been sick for a long time; he has no employment. They have one child six years old.

In Broadway there lives a very respectable widow in destitute circumstances. She has two sons, neither

child six years old.

In Broadway there lives a very respectable widow in destructe circumstances. She has two sons, nother of them being able to work; one of them is subject to fits and the other one is stok; her daughter is the only support of the family, but earns very little. The old lacy herself is unable to work.

In East Sixth street is a poor widow on the verge of starvation. She has been sick for several months past and has lour small children.

Another Burden to Society.

In Second avenue is a widow entirely destitute. She has two small children; her husband died two months ago; her baby is only one mouth old.

In Goerck street a widow is in very poor circumstances. Being feeble, she is hardly able to work; has two children and does not receive any hop.

In West Forty-sixth street a hady is in distress. Her husband went to Canada last September without leaving her any money; she supported her family—four small children—by making artificial flowers, but is unable to carn anything at present; her baby is only one week old.

one week old.

In Spring street an old dry goods merchant is in poverty. He has to support a daughter and two grandsons, one of the latter being sick; the daughter earns very little.
In East Seventy-fifth street lives a poor family con

In East Seventy-fifth street lives a poor family consisting of heshand, wile and one child. The man has had no work for a long time; the wife earns something by making hats—last week \$1. They receive no help, have to fuel and often nothing to eat.

In West Thirty-much street a family is in a starving condition. The man has been sick for the last two years; the wife is not able to earn anything for their two small children. They are without tood or money.

"Those green hands icy mountains."

The aged compositor who first set up in type Bishop Heber's famous hymn, "From Greenland's ley Mountains," is no longer note to work, and some friends are enteavoring to raise for him a little testimonial which will help him substantially. He worked as boy and man in the same office for sixty years. The hymn was written in Wrexham by Bishop Heber on a Sunday morning, at about nine o'clock, and was set up in type, printed and distributed in the church before eleven o'clock. The manuscript is now, it is said, in possession of one of the Liverpool magistrates. Contributions can be sent to Mr. H——, printed, Herald office.

CONTRIBCTIONS.

The following sums have been received:—

printer, Herald office.

CONTRIBCTIONS.

The following sums have been received:

"Nittae," for St. John's Guild.

"A. B.," for widows in Chrystic street.

"Anonymous," for St. John's Guild.

"S. A. M.," for widows in South Fifth avanue and East Forty-sixth street.

"R.," for intuity of Union soldier.

"A. W. I.," for HERALD Refrief Fund.

M. Y. G., for St. John's Guild.

"A. C., for the following persons:—Family in West Forty-first street, \$2; widow in Shoriff street, \$2; poor woman in West Houston street, \$1; widow in East Ninth street, \$2; widow in West Thirty-second street, \$2. Total.

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THE CASSILY CHILDREN.

The Coronor yesterday empanelled a jury and riewed the bodies of the Cassidy children, who were smothered in the Sixth street tenement house fire on Monday night. One of the boys is yet alive, but no hopes are entertained of his ultimate recovery. The three dead once were laid out side by side in the to the jurymen, some of whom were visibly affected. The young servant girl, Mary Kinstery, who displayed considerable heroism at the fire in taking out two of the children through the blinding smoke, went on that evening to the police station where she remained all night and a greater part of yesterday, the Cassidys all night and a greater part of yesterday, the Cassioya refeating to allow her to return to their apartments. They would give no reason for their action in the matter, but stated that they attached no blame to ner whatever. The girl is an orphan and was taken from some uptown institution several years ago by relatives of the Cassidyas, and has for some time past been an limate of their nome. She has no friends or relatives, and to be cast upon the world suddenly was an exceedingly hard fate. So thought Corner Woltman, who learned the above facts about her and interested himself in har case sufficiently to procure her a temporary nome in the Convent of the Sisters of Mercy. RACING AT CHARLESTON, S. C.

SECOND DAY OF THE ANNUAL MEETING OF THE SOUTH CAROLINA JOCKEY CLUB-THEEE BACES-EGYPT, WASH BOOTH AND GENERAL PHILLIPS THE WINNERS.

CHARLESTON, Feb. 5, 1878. This was the second day of the annual meeting of the South Carolina Jockey Club, and the racing that came off gave great delight to the many speciators, ladies and gentlemen, who graced the grounds. Thre races were run-the first a dash of a mile, the second two-mile heats, and the third mile heats.

THE PERST RACE
WAS for a purse of \$200; \$150 to the first and \$50 to the second horse, mile heats, for all ages. For this event four came to the post. These were H. Waller's heatnut horse Kaypt, by Planet-Lady Berry, aged;

chestnut horse Egypt, by Planet—Lady Berry, aged; J. Hill's bay filly Beite Isie, by Bounie Scotland—Arnica, 3 years old; Ploneer and Judge Hancock, Egypt was the favorite. The race was a very exciting one, there being less than a length between the drathine at the flush. Beite Isie was second, Pigneer third, Judge Hancock lourth. Time, I. 403.

THE SECOND RACE
was the Hampton Stakes for lour-year-olds, two-mite heats; \$50 entrance, half forlett, \$10 in dectares before January I, 1878. If two or more start the club to add \$300. There were seven nominations, two of which came to the post. These were C. W. Medingor's bay cuit Wash Booth, by Asteroid—Vandaiia, and W. Myele's bay fifty by Ited Dick, dam by Planet. Wash Booth won the race in two straight heats, the second being a very close affair, the lost not being won by over a length. Time, 3:52—3:53%. The toilowing are the previous

Year. Winners OF THE HAMPTON STAKES. 1875-Crown Prince..... 4 1876-Damon...... 6 1878-Wash Booth 7 . 2

THE THIND RACE

was for a purse of \$300; \$225 to the first and \$75 to the second horse; mile bears, for all ages. For this event three came to the post. These were T. A. Gray's chestnut colf General Phillips, by Giencig—La Polika, 4 years old; Hugh Gaffiney's buy horse Dalgarsian, by Blarneystone—Lucy Fowler, 5 years old, and C. W. Medinger's chestnut cott Governor Hampton, by Planet—Merry Wave, 4 years old. General Pullips was a great lavorite over the field. He won the race castly in two straight heats, Dalgarsian second, Governor Hampton third. Time, 1:52 150.

TROTTING TO SLEIGHS.

The sun coming out so brightly yesterday put a damper on the sleighing in the afternoon on the came off. It was for horses that had never beaten 2:40 to harness, the prize being a splendid suit of horse clothing, the race mile heats, the best three it five. There was a fair attendance of spectators at the Park to witness the race. The track was in superb

Park to witness the race. The track was in superb condition, as it is situated to a vailey, where the sun cannot get at it in force, and, should there be no rain, will be in good condition for many more races. The trot was very interesting, as four horses started. These were Jonn Murphy's black gelding Newbrook, William Shaw's sorrel mare Flower Girl, P. Manee's bay mare Addie E. C., and J. Fountain's black gelding Chance.

The first heat was won by Flower Girl by a neck from Newbrook, in 3:02. Chance third, Addie E. C. fourth. The second heat proved an easy heat for Newbrook, as he won it by live open lengths. Time, 3:03, Chance second, Flower Girl third.—Addie E. C. fourth. The second heat proved an easy heat for Newbrook, as he won it by live open lengths. Time, 3:03, Chance second, Flower Girl third.—Addie E. C. fourth. The second heat in the blird heat Newbrook and Chance crossed over the score head and head; but the juages set them back for running, and gave the heat to Plower Girl in 3:03, Newbrook second and Chance third. The fourth heat could not be rooted, as darkness came over the track, and the race had to be postponed until two o'clock to-day.

The following is a SUMMARY.

FLEETWOOD PARK—PROTTING—TUESDAY, FRB. 5, 1875.—Frize, a valuable suit of horse ciothing; for horses that have never beaten 2:40; mile heats, best three in five, to sleights. W. Shaw's a m. Flower Gril.
J. Murphy's bik. g. Newbrook.
J. Fountain's b. g. Chance.
P. Manee's b. m. Addis E. C. Second heat..... 44 Third heat..... 46

HORSE NOTES.

The gallant and veteran horseman Captain Jake his pretty mare Silvis, by Hambletonian, dam 'a Star mare, up from his Staten Island home a lew days since for a little sport on the roads of Gothan Captain Jake is a great favorite among "roadmen," and he can beat many of the professionals in driving fast horses. The Captain was fond of tackling the old Commodore on the avenues and having a brush with

way.

At Spring Hill Stock Farm, Flushing, L. I., a sale was made on Monday of the black station Blackwood Chiel, by Blackwood, dam Favette Belle (the dam of Mambrino Bertie), by Mambrino Chief. The purchaser, William L. Huse, of Peru, lit., shipped the Mambrino Bertie), by Mambrino Chiel. The purchaser, William L. Huse, of Peru, it., shipped the horse for his lottere home on Monday night. Sele on of Blackwood and Dictator and the brood marca Buren Mare, the dam of Rosalind, whose record 18 2:21 kg. Roselle, the dam of Monawk, Jr., record 2:22; Fayette Belle, dam of Mambrino Bertie, Lady McManu, and of Melle, record 2:22; Joanse, dam of May Queen, record 2:20, and a large number of well tried youngsters which are giving great promise for the future.

Mr. Coe is driving a magnificent pair of horses of Superb stock. They are sixteen bands high, very stylish and can trot very inst.

Harry Hamilton has been driving his wellbred chestont horse Unknown to a sleigh during the past lew days, and also a half brother of Unknown, who is very promising.

Mr. Schenck has sold his well known road horse Jim Liuby to Mr. Valentine, of Newark, N. J.

The report circulated a few days since that the well known road horse General Tweed had proken his leg and been destroyed was incorrect. Another horse belonging to Mr. Osborn, Tween's owner, was the victim. Tweed has better legs now than the man he is named after.

NATIONAL RIFLE ASSOCIATION.

NATIONAL RIFLE ASSOCIATION.

PREPARATIONS FOR THE SPRING MEETING AT CREEL MOOR-NEW BULES-A NATIONAL CON-VENTION OF RIPLEMEN.

The Board of Directors of the National Rifle Associa ion held an important meeting at No. 23 Park ros yesterday atternoon. The meeting was largely at-tended by prominent riflemen like General Dakin, Major Fulton, Colonel Bodine, Colonel Sandford, Colonel Wingate, General Spaler, General Wylle, General Woodward, and numerous others known on "the range." Judge Stanton presided and George J. Schermerhorn acted as secretary. The constrman in calling the meeting to order expressed the hope that the same punctual attendance would be given to the meetings of the association this year as luring 1877. Several questions of importance would be submitted to their consideration. The secretary adjutants general of twenty-one States throughout the Union had sont answers in reply to the not fication

unjutants general of twenty-one States throughout the Union had sent answers in reply to the not floations sent them of their election as honorary members of the association. The treasurer stated that during the past month there had been received by the association \$461-63; expended, \$410-76; leaving a balance in the treasury on February 1 of \$60-87.

General Woodward submitted a lengthy report in regard to rules that should govern factore matches. The sebstance of this report being read, it proposed that'n fature every man about a new seven shots; that aquads should be composed of four men, and that the entries should continue open all day. As to the spring meeting, he submitted the foliowing programme:—That on the first day (May 23), the contest take place for the Leech Cup, and on the new range the sairmishing maten and the volley matches. For the second day he proposed ten matches at 300 yards, and three matches at 1000 yards. For the third day he proposed thirteen matches at 500 yards, asven matches at 500 yards and three matches at 100 yards and three matches at 200 yards, seven matches at 500 yards and six matches at 600 yards. The proposition was invormely received and reserved to the Executive Committee, with power.

The secretary here read the new regulations covering the government of the range during the coming season, among which was one calling for entries to be made one week before the match takes place. All of the new rules were ordered to be printed, to be submitted to the Beard of Directors for their consideration.

CONVENTION AT CREEDMOOR.

General Shaer then submitted a resolution and

to inscribe the name of owners of the frophy during 1878 if no match took piace? Several gentlemen here stated that the name of "America" should, as a matter of course, be inscribed on the banner opposite the figure 1878 if no adequate responses be received before May 1.

General Shaler, however, protested against freating the riflemen of the world in this manner. They had no right to insert their names without a contest. If the date of notification be postponed till June 1, then the American team would have a right to shoot over the ground and take possession of the trophy for another year. The resolution was so amended and adopted.

PRIERS YOR THE SPRING MENTING.

ior another year. The resolution was so amended and adopted.

The secretary then read communications from various parties offering prizes at the spring meeting. One was from Jonn P. Waters offering a fifty dollar gold piece for a long range prize. The National Gaurisman offered a Remington long range rifle, worth \$125, to be sho, for under military regulations at 300 yards. It was decided, on the motion of Major Fulton, that no matches take place at Creedmoor unless there were ten entries for the same.

General Wylie offered a prize of \$250 in gold on behalf of J. W. Frazer, the match to be arranged by the Executive Committee in time for the spring meeting. The following gentlemen were then elected honorary members of the association—kessers. Thomas A. Aivord, Orlando L. Stewart and William Richardson; after which, the treasurer having been authorized to borrow the sum of \$2,000 to meet the immediate wants of the association, the meeting adjourned.

ANTHONY COMSTOCK'S WORK.

THIRD PUBLIC MEETING OF THE NEW YORK SOCIETY FOR THE SUPPRESSION OF VICE. The third public meeting of the New York Society for the Suppression of Vice was held last night in As octation Hall, on the corner of Twenty-third street and Fourth avenue. Rev. Dr. Rogers opened the meeting with prayer. The president of the association, Mr. Samuel Colgate, took the chair, and the Rev. Dr. Ormision, the Rev. Dr. W. M. Taylor, the Rev. Frederick Couriney, Rev. Stephen H. Tyng, H. Wales, Mr. A. S. Barnos, Mr. W. E. Dodge, Jr., and Mr. John Paton occupied sexts on the platform. Mr. Anthony Comstock the Secretary of the society read his report, a rather the Secretary of the society read his report, a rather lengthy document this of interesting data relating to the work he has accomplished. Mr. Comstock dwelt with much bitterness upon the great difficulty of obtaining convictions in loss city, after oringing forward the most convincing kind of evidence, and showed how different the law was carried out in other portions of the United States, as, for instance, in Boston, out of sixteen cases thirteen were convicted, one absconded, one died and one awaits trial; and in Philadelphia out of nine arrests there were nine convictions.

absonded, one died and one awaits trial; and in Philadeliphia out of this arrests there were nine convictions.

A TRERIBLE STATEMENT.

In this city out of forty-three cases there were thirty-thine indictments, and as yet not one has been convicted. Giving an instance of the immense business that is done by some of the dealers in obscene matter, Mr. Comstock spoke of the case of a man arrested in Ashland, Mass, and tried in Boston, who, by his own contession, did business under several almosts. Under the aliases he sent his obscene matter, and from January I to July 1, 1877, he received under all his aliases 8,728 out of a total of 5,230 registered letters delivered at that office, showing that he received att but 20L. From July 1 to December 4, 1877, he received 4,574 or a total of 10,303 registered letters and about the same number of money orders. He certified that from May to September, 1874, he sent out 50,000 circulars; September, 1875, to May, 1875, 200,000 circulars; September, 1876, to May, 1877, 500,000 circulars, and from September, 1876, to May, 1877, 500,000 circulars, making a total of 1,350,000 circulars, and from September, 1876, to May, 1877, 500,000 circulars, making a total of 1,350,000 circulars, and from September, 1876, to May, 1877, 500,000 circulars, making a total of 1,350,000 circulars, and from September, 1876, to May, 1877, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and from September, 1876, to May, 1876, 500,000 circulars, and f

BAPTIST SOCIAL UNION.

The ninth annual meeting of the Manhattan Baptist Social Union was held at Delmonico's, Fifth avenue hundred gentlemen and ladies were present. At the business meeting preceding the dinner the following named officers were elected for the year 1878;--President-James D. Reid, of the Gold Exchange. Vice Presidents-Joseph Brockaw and D. J. Newland.

Presidents—Joseph 'Brockaw and D. J. Newland. Secretary—B. S. Clark. Treasurer—T. '. Whitlock. Directors—Smith Shelden, James Pyte, hugh Porter, John F. Plunmer, H. P. See, B. F. Judson, E. H. Conkin and L. A. Gould.

After a number of pleasant speeches Dr. Robinson was very facetous over the press which has such a care for the interests and wellare of the churches that it publishes their decis regularly. But if the Church should retailate they would be denounced as imperiment and then be sued for defamation of character. He applieded the social idea of the Baptans and expressed his belief that it was the true idea to group the churches together socially (while they remain apart ecclesias—tically) and thus they shall at one another tically) and thus they shall aid one another in the work of Christ. He thought it was a much better way to bind church people together than that which Dr. Eggleston, of Brocklyn, has adopted—a shooting gailery in the Sunday school room. Dr. Armitage referred to the "table talks" of John Selden, Mertin Luther and the Lord Jesus Christ, and asked what there was in dinner that made everybody so genial and happy? The company thereafter retired to the parlors and spent the remainder of the evening in informal somebility.

CHURCH DIFFICULTIES.

The members of the South Congregational Church corner of President and Court streets, Brooklyn, are quite jubilant over the fact that the \$20,000 debt which has been standing against that edifice for about twenty years is about to be wiped out. The entire amount has been promised within one year by a number of members and friends of the church.

Justice Moore, of the Kings County Court, yesterday granted the application lately made by the trustees of the Granam Avenue Methodist Church, Brooklyn, to seil the church property at private or public sale, and any surplus accruing after the sale was directed by the Court to be paid into the Williamsburg Savings Bank. It was stated in the application that a floating cobt of \$1,500 existed against the society, and that there was a past due mortgage of \$4,500 on the property.

A secret meeting of the vestrymen of St. Ann's Church, Protestant Episcopai, Clinton and Livingston streets, Brooklyn, was notal last evening in relation to the question of raising the debt of that church, which smoonts to \$135,000. It is understood that of this sum \$50,000 has airendy been subscribed, of which amount \$20,000 has airendy been subscribed of which amount \$20,000 has airendy been subscribed of which which has been standing against that edifice for about

NEW JERSEY SABBATH UNION.

The New Jersey Sabbath Union, which was organ ized in March, 1874, for the purpose, mainly, of auding in the enforcement of "the Caristian Saubath," herd its fourth annual meeting in the chapel of the First Presoyterian Church of Newark yeaterday, officers were chosen by a board of twenty-five managers, and letters were read from Mayor Sadier and others expressing regret at inhibitity to attend. In their annual address the Board of Managers set forth that much progress had been made and was making by the association toward the igiliment of its ob-

A LUNATICS LEAP.

GREATER PRECAUTION URGED FOR THE CARE OF THE INSANE IN THE PLATBUSH ASYLUM. John Lynch, the lunatic who was killed by lumpin rom one of the third story windows of the Flatbush, Long Island, Iusane Asylum, on Sunday last, was buried yesterday from St. Paul's Roman Catholic Church, Court street, Brooklyn, Coroner Simms held an inquest in the case in the morning, at the

the skirmishing mater and the voicey matches. For the second day be proposed ten matches at 300 yards, three matches at 1000 yards, and three matches at 1000 yards, and three matches at 1000 yards, seven matches at 5000 yards, seven seven seven that he seven seven that the seven seven seven the seven matches at 5000 yards, seven seven that the seven seven seven the seven seven seven the seven seven

RECEIVER JEWETT.

Proceedings in the Alleged Erie Perjury Case.

EXAMINATION WAIVED BY THE ACCUSED.

Much Legal Wrangling and the Magistrate in Doubt.

All the parties interested in the examination of the charges of perjury made against Receiver Hugh J. Jewett, growing out of his official certification of the accounts of the Eric Railroad, were promptly on hand yesterday morning at the Josferson Market Police Court It will be remembered that Mr. Jawett's arrest London, Charles Barrett and Alexander Robertson, Piatt's affidavit asserts that on November 24, 1877, Mr. Jewett, as President of the Eric Railway Company, in conjunction with the superintendent of operations, filed in the office of the State Engineer and Surveyor the annual report for the year ending September 30, and that on November 23, 1877, Mr. Jewett made affidavit, and "with intent to deceive the bondholders and stockholders of said corporation, of whom deponent is one, as to the true financial condition of said corporation he did falsely, unlawfully, corruptly and knowingly swear that the contents of said report were true to the best of his knowledge, information and

The room set aside for the examination is large and commodious, out its capacity was well tested by the large number of lawyers, witnesses and court hangerson that crowded into it. Fifteen minutes before ten o'clock Judge Morgan, the justice who granted the order of arrest, made his appearance and was quickly followed by Messra William A. Beach and Henry C Allen, who represented the prosecution. Five minutes later Mr. Jewets entered the room accompanied by ex-Judge Fullerton, ex-Judge Comstock, W. W. MacFar-land and Dorman B. Eaton, his counsel; ex-Governor Morgan, and one or two other gentlemen. Mr. Jewett sat between ex-Judge Comstock and ex-Judge Morgan on the front row of chairs at the end of the room, Messrs. Fullerton, MacFarland and Eaton being near them. Mr. Platt, of London, a short, atout man of very florid complexion, was a central figure.

WAIVING AN EXAMINATION. both sides, the prosecution asked if there was a repre-sentative of the State Engineer and Surveyor's Office in the room. Edward D. Smalley, Deputy State Engl neer, responded, and was asked to take a seat in the chair.

in the room. Edward D. Smalley, Deputy State Engineer, responded, and was asked to take a seat in the witness chair. This done Mr. Fullerton addressed Judge Morgan. He said, in substance, that up to four o'clock on Monday afternoon they had intended to proceed with the examination, wastever time it might consume; out subsequently they had changed their minds, and now waived an examination, as they should give bonds to appear at court.

"TO HE OR NOT TO EK."

This brought Mr. Heach to his feet, He claimed that Mr. Fuderton's assumption that, under any circumstances, the decience could waives an examination was erroneous. It was the right of the people that it might be present evidence on the part of the people that it might be preserved, and to guard against accidents or the death of witnesses. The accused could waive his personal examination, but the evidence of the people must be submitted.

Mr. Fuderton and not understand the law governing examinations to be as stated, and unless there had been some special legislation for the city of New York on the subject the position of the prosecution was wrong. Mr. Fudierton where that the practice of the police courts was to allow all prisoners to waive an examination if they desire to do so and give bonds for appearance at court. He could not see any reason for a different course in this case, and respectfuly insisted upon his position.

Mr. Beach, in response, further argued that the position of the defonce was wrong. It was Judge Morgan's right to take the evidence of the prosecution in order to discover whether the people have been wronged. The statute is broad and wide on the subject, and gave this floor the power to impulsion of the charges, "Ac.

Mr. Fuderton again insisted that such examination or the charges," Ac.

Mr. Fuderton again insisted that such examination of the magistrate shall proceed with the examination of the charges, and he say of the charges set forth in the allogations and sworn statements on which the warrant and summons may be issued. We hav

question.

Mr. Beach then stated that an officer of the State Engineer's office was present, and begged that he be sworn that he might produce his evidence, which was a certified copy of the official return of the Eric Rullway Company for the fiscal year ending September 30, 1877.

way Company for the hazar year ending September 34, 1877.

Mr. Fullorton protested and asked if they intended to examine the gentleman or simply give him an opportunity of putsing records of the office in evidence. It it was a record they would admit it at the proper time. They stood upon the report and insisted upon its being technically right, and its every other way. The defonce relied upon it, and it contained no facts they were not prepared to substantiate and stand by. Mr. Scach insisted upon the withous being sworn, as they did not wish to be at the mercy of the accused or his counsel, for, while there might be wisdom in a multitude, yet there was great ducertainty.

Judge Morgan motioned the witness to be sworn, Mr. Fullerton excepting and earnestly protesting against the proceedings. Mr. Smalley then put in evidence the copy of the report as above referred to.

Judge Morgan wanted the counsel to agree about this evidence when Mr. Beach said to Mr. Fullerton, "Let's see if we can't put this in shape."

Mr. Beach to witness—Is this a certified copy of the original report excepting the schedules of accidents appended.

Witness—I believe that it is.

Mr. Beach to withess—is this a certified copy of the original report excepting the schedules of accidents appended.

Withess—i believe that it is.

Mr. Fullerton again appealed to His Honor and objected to the examination of the withess. The defendant, he said, did not participate in the examination of the withess.

How the Document was sectived.

Hore Judge Morgan made the adalission that the examination had not commenced and that he only received the document as part of the original complaint, not a part of the examination.

Mr. Fellerton then said that it the examination ever be commenced they should ask for the production of the paper submitted.

Mr. Beach—And I give notice that I will produce a certified copy.

Ex Judge Fullerton—And we give notice that the proof stands that this is not a certified copy.

It was then agreed that an oral discussion should take place at ten o'clock this morning before this Honor relative to the power of the magnificate to allow the accused to waive an examination.

GENET'S REITIRN

No further proceedings will likely be taken in the case of Henry W. Genet at present, the time of his appearance before the General Term of the Supreme Court being set down for the March term. In the Court being set down for the March term. In the hotels and large restaurants, where the politicians congregate and discuss the topics of the day with carnestness, it not with wisdom, Harry's return monopolized attention to the exclusion of all other matters. Each and every one of them seemed to be plad that he was once more in New York and that his case had taken such a lavorable turn.

MUNICIPAL NOTES.

Commissioner of Public Works Campbell takes the ground that the Fifth avenue reservoir should be converted into a park. He merely submitted the plans of architects for the erection of a National Guard armory in this locality at the request of the Board of

armory in this locality at the request of the Board of Albermon.

The Common Council have requested the Superintendent of Buildings to examine the Sixty-ninth regiment armory and report as to its condition.

Alderman Shiels has introduced a resolution in the Board requesting the Mayor, Police Commissioners and Corporation Attorney to enforce the ordinance compelling street railroad companies to procure permits for using sweeping machines and snow ploughs, the contends that a great nuisance is created in some of the narrow streets by this practice, the snow being piled up and thrown on the sidewalks in some instances. It appears that the companies have been acting without authority in this matter during the present winter.

The Aldermanic Committee on Police and Health has reported in layor of permitting the Police Department to purchase two tugbons in open market. The Dock Commissioners state that they have only one tug in their possession and that it is in constant use, According to the last monthly statement of Comptroler Keily the net bonded city debt on January 31, 1877, was \$121,370,371 by, and on the corresponding date for this year, \$117,703,881 02. These figures show a decrease of \$3,606,800 bt.